

REMARKS**RECEIVED
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The Examiner has provided "Reasons for Allowance" that are improper and must be withdrawn.

First, the Examiner recites alleged distinctions between the present invention and teachings of a patent to Van De Pasch (U.S. pat. No. 6,853,440). However, Van De Pasch is not prior art. Based on this fact alone, the "Reasons for Allowance" are improper and should be withdrawn because the distinctions of a reference that is not prior art is simply not relevant to reasons for allowing claims of the present application.

Second, the Examiner refers to language of the claims which do not exist. The patent statutes require claims to be presented and interpreted in accordance with what the Applicants regard as their invention. Accordingly, the claims must be read as Applicants regard them (that is, as they are worded, literally). However, the "Reasons for Allowance" refer to language which is not in any or all the claims, and are accordingly *non-sequitur* to allowability of claims that do not literally include such language. The statements as currently worded might be interpreted in the future as reading limitations into Applicants' claims which simply do not exist. Applicants regard aspects of their invention as defined by the claims.

The Examiner is respectfully reminded that MPEP §1302.14 I. (8th ed., rev. no. 5, vol. 1) states, in part, that:

Application Serial No. 10/512,100
Response After Allowance under 37 C.F.R. §1.312

LO29-016


Where specific reasons [Reasons of Allowance] are recorded by the examiner, care must be taken to ensure that such reasons are accurate, precise, and do not place unwarranted interpretations, whether broad or narrow, upon the claims. The examiner should keep in mind the possible misinterpretations of his or her statement that may be made and its possible effects.

In accordance with this authority, Examiners are expected to prepare any statement of their reasons for allowance accurately and precisely so as not to place unwarranted interpretations, whether broad or narrow, on the claims. The Examiner must interpret the claims in accordance with their literal wording. Accordingly, Allowance of the claims as literally worded is demanded, pursuant to the above authority. Moreover, the current "Reasons for Allowance" must be withdrawn as being improper.

If the Examiner disagrees with this just stated position, claim rejections are mandated.

Respectfully submitted,

Dated: 12-8-06

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